

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
He et al.

Docket No.: PF140P1D2

Application No.: 10/801,669

Confirmation No.: 4076

Filed: March 17, 2004

Art Unit: 1641

For: Immunoassay Methods for Detecting Interleukin-
1 Beta Converting Enzyme Like Apoptosis
Protease-3

Examiner: C. Foster

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references A-AW listed on the attached Form PTO/SB/08. A copy of each reference is enclosed.

Copies of references C-AW were submitted by Applicants or cited by the Examiner in connection with related U.S. Patent App. No. 08/334,251, filed November 1, 1994, U.S. Patent App. No. 08/462,969, filed June 5, 1995, and U.S. Patent App. No. 09/613,508, filed July 10, 2000, , to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the file of these applications for copies of references D-AW.

The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application and consider the information contained therein during the prosecution of this application.

Identification of the listed references is not to be construed an admission of any individual

associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.97(c), this Information Disclosure Statement is being filed after the mailing of a first Office Action on the merits. Please charge the required fee to our Deposit Account No. 08-3425.

Dated: August 9, 2007

Respectfully submitted,

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